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Robert Moll
Robert Moll

#10/Fee
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U.S. PATENT AND TRADEMARK OFFICE

In re Application of: McDonald Robinson
et al.

Examiner: Timothy J. Sutton

Art Unit: 2813

Title: Methods of Using Si-Ge-C in Selective
Etch Applications

Attorney Docket No. Lawrence 712

Application No. 10/010,704

Filing Date: November 13, 2001

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Examiner Sutton:

In response to the enclosed notice of non-compliant amendment, enclosed is a check to pay the required fee of \$84 for the additional independent claim.

03/20/2003 HLE333 00000019 10010704

02 FC:1201

84.00 0P

Respectfully submitted,

Robert Moll

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UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/010,704 | 11/13/2001 | McDonald Robinson | Lawrence 712 | 8430 |

7590 01/30/2003

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1173 St. Charles Court
Los Altos, CA 94024

EXAMINER

WHITEHEAD JR, CARL W

ART UNIT PAPER NUMBER

2813

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 1/3/03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☒ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation:

Fee due for one independent claim.
8400

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Sanette Smith
Legal Instruments Examiner (LIE)

(703) 308-5852

(Rev. 12/01)

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